



CRL OP(MD). No.15443 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 12/09/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.15443 of 2024

1. Gopinathan,

2. Gogulan,

... Petitioners/

Accused Rank not known

Vs

The State of Tamilnadu,
Rep. by the Inspector of Police,
Nainarkovil Police Station,
Ramanathapuram District.
Crime No. 156/2024..

... Respondent/ Complainant

For Petitioners: Mr.K.Rajiv Gandhi,
Advocate.

For Respondent : Mr.A.Albert James,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS / 438 of Cr.P.C

PRAYER :-

For Anticipatory Bail in Crime No. 156 of 2024 on the file of the Respondent police.

<https://www.mhc.tn.gov.in/judis>



CRL OP(MD). No.15443 of 2024

ORDER : The Court made the following order :-

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The petitioners/Accused, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 189(2), 296(b), 118(1), 351(3) of BNS, 2023, in Crime No.156 of 2024, seek anticipatory bail.

2.The case of the prosecution is that when the defacto complainant was travelling in a two wheeler, the petitioners along with another person drove a two wheeler in the opposite direction in a rash and negligent manner. When the same was questioned by the defacto complainant, they abused him in filthy language and attacked him with their hands and leg. Further, they snatched a cell phone and money, which were kept inside the shirt of the defacto complainant. Hence, the complaint.

3.Heard both sides.

4.Considering the fact that the petitioners are involved in road rage where, upon the defacto complainant questioned the rash and negligent driving, the petitioners attacked the defacto complainant, and also considering the fact that there are no other bad antecedents against the petitioners, this Court is inclined to grant



CRL OP(MD). No.15443 of 2024

anticipatory bail to the petitioners with certain conditions.

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5. Accordingly, the petitioners are ordered to be released on bail in the event of their arrest or their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the Judicial Magistrate Court, Paramakudi, Ramanathapuram District, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties, each for a like sum to the satisfaction of the learned Magistrate concerned and on further conditions that:

(a) the petitioners and the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b) the petitioner shall serve in the Accident ward and help the staffs in cleaning the ward for a period of two working days at Ramanathapuram Medical College Hospital and the said service shall be certified and reported to the investigating officer by the concerned Nursing Superintendent;

(c) the petitioners shall report before the respondent police daily at 10.30 am for a period of two weeks and thereafter as and when required for interrogation;



CRL OP(MD). No.15443 of 2024

WEB COPY

(d)the petitioners shall not tamper with evidence or witness either during investigation or trial;

(e)the petitioners shall not abscond either during investigation or trial;

(f)on breach of any of the aforesaid conditions, the learned Magistrate/ Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]; and;

(g)if the accused thereafter abscond, a fresh FIR can be registered under Section 229-A IPC.

sd/-
12/09/2024

/ TRUE COPY /

/09/2024

Sub-Assistant Registrar (CS- I/ II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

DSS

TO

1. The Judicial Magistrate Court, Paramakudi, Ramanathapuram District,
2. Do-Through The Chief Judicial Magistrate,
Ramanathapuram District.



CRL OP(MD). No.15443 of 2024

3. The Inspector of Police,
Nainarkovil Police Station,
Ramanathapuram District.

4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.K.RAJIV GANDHI, Advocate (SR-11225[I] dated 12/09/2024)

ORDER
IN

CRL OP(MD) No.15443 of 2024

Date :12/09/2024

RK/SG (24/09/2024) 5P / 6C

Madurai Bench of Madras High Court is issuing certified copies in this format from
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